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December 15, 2020

VIA ECF AND E-MAIL

Honorable Katherine Polk Failla
United States District Court Judge
40 Foley Square, Room 2103
New York, New York 10007

MEMO ENDORSED

Re: ***In re Tether and Bitfinex Crypto Asset Litigation*, Case No. 1:19-cv-09236-KPF**

Dear Judge Failla:

We respectfully write to request a brief adjournment of the videoconference set for December 17, 2020 at 2:00 p.m. pursuant to Your Honor's Order (ECF 160) in connection with our Motion to Withdraw as Counsel (ECF 159).

Specifically, I am counsel for the Official Committee of Unsecured Creditors in a bankruptcy case pending in the United State Bankruptcy Court for the Southern District of Texas in *In re Speedcast International Ltd., et al.*, Case No. 20-32243 (MI) (Bankr. S.D. Tex.). The court in that case previously has scheduled a hearing on the debtors' plan of confirmation for this Thursday, and that evidentiary hearing at this time is still scheduled to proceed.¹ For this reason, I would not be available to represent our client in the *Speedcast* matter and appear before Your Honor on Thursday afternoon.

At the same time, we write to inform Your Honor of the proceedings in connection with our Motion to Withdraw in the criminal matter against Mr. Fowler. On December 14, 2020, Judge Carter scheduled a conference on our Motion to Withdraw for Thursday, December 17, 2020 at 12:00 p.m. Because of conflicts, and pursuant to the consent of the government, Judge Carter has re-set the conference in that case for Friday, December 18, 2020 at 2:00 p.m.²

We have conferred with counsel of record and none object to rescheduling. The parties are generally available the afternoon of Tuesday, December 22, 2020 and on Wednesday, December 23, 2020. This is our first request for an adjournment.

¹ Order Scheduling Combined Hearing, ECF No. 896, *In re Speedcast International Ltd., et al.*, Case No. 20-32243 (MI) (Bankr. S.D. Tex. Nov. 2, 2020).

² Order Regarding Telephone Status Conference, ECF No. 79, *United States v. Reginald Fowler*, No. S3 19 CR. 254 (ALC) (S.D.N.Y. Dec. 15, 2020).

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In light of the above, we respectfully request that the videoconference be rescheduled to a time convenient for the Court early next week. We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Michael C. Hefter

Michael C. Hefter

cc: All counsel of record (via ECF)

Application GRANTED. The videoconference scheduled for December 17, 2020 is hereby ADJOURNED to December 22, 2020, at 10:00 a.m. Instructions for accessing the videoconference will be distributed in advance of the conference.

Dated: December 16, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE